

## **REMARKS**

This is a full and timely response to the outstanding non-final Office Action mailed January 3, 2007. Reconsideration and allowance of the application and pending claims are respectfully requested.

### **I. Double Patenting Rejections - Obviousness-type Double Patenting**

Claims 1, 9, 17, 21, 25, and 28 have been rejected under the doctrine of obviousness-type double patenting as being unpatentable in view of claims 1, 9, 16, and 22 of U.S. Patent No. 6,920,410 ("the '410 patent") and claims 1, 9, 17, 21, 25, and 28 have been rejected under the doctrine of obviousness-type double patenting as being unpatentable in view of claims 1, 15, and 24 of U.S. Application No. 10/617,002 ("the '002 application").

Regarding the '410 patent, Applicant has submitted herewith a terminal disclaimer that disclaims any portion of term for a patent issuing from the present application that will extend beyond the term of the '410 patent. Applicant therefore respectfully requests that the rejection relative to that patent be withdrawn.

Regarding the '002 application, Applicant respectfully disagrees that claims 1, 15, and 24 render current claims 1, 9, 17, and 21 obvious. For example, none of claims 1, 15, and 24 of the '002 application teach or suggest intercepting a message "sent by a web service under test" or "determining whether the message should be redirected to a mock network service that emulates operation of" an actual network service. Furthermore, none of claims 1, 15, and 24 of the '002 application teach or suggest

redirecting the message to the mock network service if it is determined that the message should be so redirected.

Applicant notes that the Office Action contains no analysis as to the alleged obviousness of current claims 1, 9, 17, and 21 relative to claims 1, 15, or 24 of the '002 application. If the Examiner wishes to maintain the rejection in view of the '002 application, Applicant respectfully requests that the Examiner explicitly describe where each of the limitations of current claims 1, 9, 17, and 21 appear or are suggested in claims 1, 15, or 24 of the '002 application.

## **II. Claim Rejections - 35 U.S.C. § 103(a)**

Claims 1-30 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Malik, et al.* ("Malik," U.S. Pat. No. 6,160,794) in view of *Lozinski, et al.* ("Lozinski," U.S. Pat No. 6,055,306).

As indicated above, each remaining independent claim has been amended through this Response. In view of those amendments, Applicant respectfully submits that the rejections are moot as having been drawn against Applicant's claims in a previous form. Applicant therefore respectfully requests that the rejections be withdrawn.

Turning to the merits of the claims, Applicant notes that the references at least fail to teach or suggest intercepting a message "sent by a web service under test". Instead, both references simply pertain to telephone networks and calls made thereon.

### **III. Canceled Claims**

Claims 25-30 have been canceled from the application without prejudice, waiver, or disclaimer. Applicant reserves the right to present these canceled claims, or variants thereof, in continuing applications to be filed subsequently.

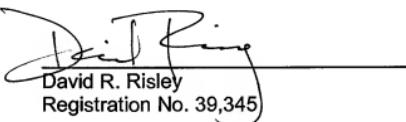
### **IV. New Claims**

Claims 31-38 have been added into the application through this Response. Applicant respectfully submits that these new claims describe an invention novel and unobvious in view of the prior art of record and, therefore, respectfully requests that these claims be held to be allowable.

**CONCLUSION**

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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